

In re Application of: Legge et al.  
Application No.: 10/658,162

### **Remarks**

In the application, claims 1 through 39 are pending. Claim 38 currently stands allowed.

The Office Action dated February 23, 2005, has been carefully considered. The Office Action rejects claims 1 through 9, 14 through 16, 19 through 24, 29, 30, 33 through 37, and 39 under 35 U.S.C. § 103(a) as obvious in light of U.S. Patents 6,044,308 (“Huissoon”) and 5,304,773 (“Kilian”). Claims 10 and 25 are rejected as obvious in light of Huissoon, Kilian, and U.S. Patent 6,204,473 (“Legge”). Claims 11 through 13, 17, 18, 26 through 28, 31, and 32 are rejected as obvious in light of Huissoon, Kilian, and U.S. Patent 5,751,436 (“Kwon”). Finally, claim 38 is allowed.

Applicants thank the Examiner for allowing claim 38.

In this Amendment B, paragraph [0064] is amended to correct a reference numerical. A minor inconsistency is corrected in claim 1.

Applicants respectfully disagree with the Office Action’s rejection of the currently pending independent claims 1, 8, 24, and 39 as obvious in light of the combination of Huissoon and Kilian. That combination simply does not show all of the elements of these claims.

As a first matter, the independent claims 1, 8, 24, and 39 all call for “a work zone [of the laser machine tool] smaller than the workpiece” so that the “workpiece is indexed through the work zone for processing.” (Claim 1; claims 8, 24, and 39 have similar language.) The Office Action correctly notes that Huissoon does not teach this feature (last paragraph of page 2), and then calls on Kilian to fill this void. However, as the Office Action states, Kilian teaches a “large piece system” that “indexes the sensor assembly” (first paragraph of page 3). A review of Kilian shows that its work zone is larger than its workpiece. Kilian’s Figures 1 and 2 clearly depict a workpiece (38) that is well within the carriage drive system (24) or bellows (52). Therefore, it is evident that Kilian’s work zone is larger than its workpiece (38). While Kilian mentions that workpieces can be long, it fails to teach or to suggest that portions of these long workpieces that fall outside of Kilian’s work zone are processed. In sum, Huissoon and Kilian, either separately or in combination, neither teach nor suggest the element of “a work zone smaller than the workpiece” so that the “workpiece is indexed through the work zone for processing.”

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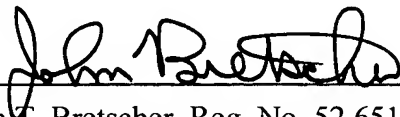
As a second matter, the independent claims 1, 8, 24, and 39 all call for "a target on the workpiece." (Claim 1; claims 8, 24, and 39 have similar language.) Neither Huissoon nor Kilian teach this element. While Kilian describes sensing one or more reference formations on a workpiece, these reference formations are limited to edges of the workpiece or edges of a cutout on the workpiece, but are not targets on a workpiece. (See Kilian, column 7, lines 10, 11, and 19 through 23).

In sum, independent claims 1, 8, 24, and 39 all contain elements that are neither taught nor suggested by Huissoon or Kilian, either separately or in combination. Thus these claims, and their dependent claims that include all of their limitations, are patentable over the cited art for at least the above reasons.

### **Conclusion**

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John T. Bretscher", is written over a horizontal line.

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